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NOTICE OF ALLOWANCE AND FEE(S) DUE

52531 7590 09/25/2008

CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

EXAMINER

LIVERSEDGE, JENNIFER L

ART UNIT

PAPER NUMBER

3692

DATE MAILED: 09/25/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,583	03/08/2001	Christopher Keith	125463	7000

TITLE OF INVENTION: DECISION TABLE FOR ORDER HANDLING

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$720	\$0	\$0	\$720	12/26/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

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Complete and send this form, together with applicable fee(s), to: Mail

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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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52531 7590 09/25/2008

**CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347**

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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nonprovisional	YES	\$720	\$0	\$0	\$720	12/26/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
LIVERSEDGE, JENNIFER L.	3692	705-037000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/147; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

1

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

2

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY AND STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXAMINER

LIVERSEEDGE, JENNIFER L

ART UNIT

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CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 380 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 380 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

09/801,583

Examiner

JENNIFER LIVERSEDGE

Applicant(s)

KEITH, CHRISTOPHER

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/12/2008.
2. ☒ The allowed claim(s) is/are 1-5, 7-16, 18-33, 35-40, 42-48.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 3/20/2008 and 8/20/2008
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Response to Amendment

This Office Action is responsive to Applicant's response filed September 12, 2008. Examiner notes the Cross Reference section as stated in the amendment for inclusion in the specification.

Allowable Subject Matter

Claims 1-5, 7-16, 18-33, 35-40 and 42-48 allowed. The following is an examiner's statement of reasons for allowance: the prior art fails to teach or suggest the limitations of the independent claims.

The primary difference between the claimed invention and the prior art is a holding tank storing a plurality of unrelated orders where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank.

The prior art of Lupien et al. in US Patent 5,101,353 discloses an order book for storing buy and sell orders, where the orders have decision tables of conditions which apply to those orders stored therein, and wherein when the conditions of the orders are met, the orders are released. However, Lupien does not disclose a holding tank storing a plurality of unrelated orders where the holding tank has one or more market-related

conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank. Instead, Lupien discloses where conditions relate to individual orders and wherein individual orders are released when the conditions against them are met.

Jain et al. in US Patent 6,343,278 B1 discloses the generation of a group of related orders where the group of orders can be subject to a common limit order. However, Jain does not disclose a holding tank storing a plurality of unrelated orders where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank. Instead Jain discloses a group of related orders and further wherein not all orders are released completely at the same time.

Further prior art of Tilfors et al. in US Patent 6,377,940 B2 discloses where multiple order books can be consulted for price comparisons. However, Tilfors fails to disclose a holding tank storing a plurality of unrelated orders where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank. Instead, Tilfors discloses single orders being traded amongst a plurality of order books seeking the best price for the particular order.

Independent claim 1 discloses a method for facilitating trade comprising retrieving a decision table having at least two rules specifying discovery and order handling strategies, the decision table also includes a holding tank storing a plurality of unrelated orders that have been generated but not yet submitted for execution at a market, evaluating whether the rules have been satisfied, storing an order in the holding tank where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank and taking a trading-related action for the removed orders.

Independent claim 12 discloses a method for facilitating trade comprising retrieving a decision table having at least two rules specifying discovery and order handling strategies, the decision table also includes a holding tank storing a plurality of unrelated orders that have been generated but not yet submitted for execution at a market, evaluating whether the rules have been satisfied, storing an order in the holding tank where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank and taking a trading-related action for the removed orders.

Independent claim 33 discloses a system for facilitating trade comprising computer systems for retrieving a decision table having at least two rules specifying discovery and order handling strategies, the decision table also includes a holding tank storing a plurality of unrelated orders that have been generated but not yet submitted for

execution at a market, evaluating whether the rules have been satisfied, storing an order in the holding tank where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank and taking a trading-related action for the removed orders.

Independent claim 40 discloses a computer-accessible medium having executable instructions which when executed for processing an order in accordance with a decision table having rules specifying conditions and actions, the decision table also includes a holding tank storing a plurality of unrelated orders that have been generated but not yet submitted for execution at a market, evaluating whether the rules have been satisfied, storing an order in the holding tank where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank and taking a trading-related action for the removed orders.

Independent claim 47 discloses a computer system for facilitating trading with the means for language for completing the methods as disclosed above.

Independent claim 48 discloses using a computer to operate an order handling process which retrieves a decision table having at least two rules specifying discovery and order handling strategies, the decision table also includes a holding tank storing a plurality of unrelated orders that have been generated but not yet submitted for

execution at a market, evaluating whether the rules have been satisfied, storing an order in the holding tank where the holding tank has one or more market-related conditions associated with the holding tank as a whole, monitoring the one or more conditions of the holding tank and when one or more conditions are met, removing all of the plurality of unrelated orders from the holding tank and taking a trading-related action for the removed orders.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication should be directed to Jennifer Liversedge whose telephone number is 571-272-3167. The examiner can normally be reached on Monday - Friday, 8:30 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached at 571-272-6702. The fax number for the organization where the application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jennifer Liversedge/
Examiner, Art Unit 3692

/Kambiz Abdi/
Supervisory Patent Examiner, Art Unit 3692